IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 21ST DECEMBER 2006 / 30TH AGRAHAYANA 1928

Bail Appl..No. 7555 of 2006()

Crime No.520/06 of Pandalam Police Station

PETITIONER/IST ACCUSED

B.NISSAM, AGED 30,
S/O.BASHEER, KUTHADI VEEDU,
KADAKKADU, PANDALAM.

BY ADV. SRI.S.MUHAMMED HANEEFF

RESPONDENT: COMPLAINANT

STATE OF KERALA, REP. BY THE SUB
INSPECTOR OF POLICE, PANDALAM POLICE STATION,
(CRIME NO.520 OF 2006), REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No.7555 of 2006

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Dated this the 21st day of December, 2006.

ORDER

Petitioner, who is the first accused in Crime No.520 of 2006 of Pandalam Police Station for an offence punishable under Section 394 I.P.C., seeks anticipatory bail.

2. The occurrence took place on 17.11.2006 at 9.45 p.m. during the course of which the de facto complainant was allegedly robbed of his wrist watch, golden ring and cash worth Rs.4,000/- from an autoriksha in which the petitioner was also a passenger besides the de facto complainant.

3. The learned Public Prosecutor opposed the application submitting inter alia that the other accused in the case have not already been arrested. Anticipatory bail cannot be granted in a case of this nature. Accordingly, if the petitioner surrenders before the Investigating Officer any day between 22.12.2006 and 26.12.2006 for the purpose of custodial interrogation, he shall be produced before the

Magistrate having jurisdiction on the same day itself after interrogation. The application for regular bail, if any, filed by the petitioner shall be disposed of by the Magistrate preferably on the same day on which it is filed.

With this direction, this petition is disposed of.

V.Ramkumar,
Judge.

ess 21/12